

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE	)	
KELLOGG COMPANY, GENERAL	)	
MILLS, INC., and NESTLÉ USA, INC.,	)	
	)	
Plaintiffs,	)	No. 1:11-cv-08808
	)	
v.	)	Judge Steven C. Seeger
	)	
UNITED EGG PRODUCERS, INC.,	)	
UNITED STATES EGG MARKETERS,	)	
INC., CAL-MAINE FOODS, INC., and	)	
ROSE ACRE FARMS, INC.	)	
	)	
Defendants.	)	

**PLAINTIFFS’ MOTION TO FILE OVERSIZED MEMORANDUM**

Kraft Foods Global, Inc., The Kellogg Company, General Mills, Inc., and Nestlé USA, Inc. (collectively “Plaintiffs”), by their attorneys, move this Court for permission to file an oversized consolidated memorandum in opposition to: (1) Amended Motion of Defendant United Egg Producers, Inc. and United States Egg Marketers for Judgment as a Matter of Law Pursuant to Rule 50(a), Dkt. 607 & 608; (2) Defendant Rose Acre Farms, Inc.’s Renewed and Amended Motion for Judgment as a Matter of Law Pursuant to Rule 50(a), Dkt. 610 & 611; and (3) Defendant Cal-Maine, Inc.’s Amended Motion for Judgment as a Matter of Law , Dkt. 621-622. In support of this motion, Plaintiffs state as follows:

1. On November 29, 2023, Defendants United Egg Producers, United States Egg Marketers, Rose Acre Farms, and Cal-Maine Foods filed Amended Motions for Judgment as a Matter of Law Pursuant to Rule 50(a). Dkts. 607 (UEP); 610 (Rose Acre); 621 (Cal-Maine). Each

motion was supported by a fifteen-page memorandum. Dkts. 608 (UEP); 611 (Rose Acre); 622 (Cal-Maine).

2. Rather than draft three independent but overlapping response memoranda asserting related arguments based on the same body of evidence, Plaintiffs attempted to streamline their response and prepared one memorandum responding to all of Defendants' arguments.

3. Despite Plaintiffs' efforts to efficiently address the arguments in three motions, Plaintiffs require 44 total pages to respond to Defendants' legal arguments and fairly present its position to the Court. The additional pages permit Plaintiff to clarify the issues and law for the Court.

4. In the exercise of its counsel's professional judgment, Plaintiffs believe that the requested additional pages are warranted in this case to present the issues in the case in a clear, thorough manner. Plaintiffs believe that it will be prejudiced, and the Court's consideration of the issues in the case will be made more difficult, without additional pages in which to clarify the issues and law.

5. Plaintiffs seek leave of Court to file an oversize memorandum of 44 total pages to respond to Defendants' Motions for Judgment as a Matter of Law.

WHEREFORE, Plaintiffs respectfully request the Court to grant leave to file a response brief of up to 44 pages in opposition to Defendants' Amended Motions for Judgment as a Matter of Law.

December 22, 2023

Respectfully submitted,

***Counsel for Plaintiffs Kraft Foods Global,  
Inc., General Mills, Inc., Nestlé USA, Inc. and  
The Kellogg Company***

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